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WELSH STATUTORY INSTRUMENTS

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**2005 No. 2722**

**Planning and Compulsory Purchase Act 2004  
(Commencement No. 4 and Consequential, Transitional  
and Savings Provisions) (Wales) Order 2005**

**Consequential Amendment of the Town and Country Planning Act 1990**

3.—(1) The Town and Country Planning Act 1990<sup>(1)</sup> is amended as follows.

(2) Schedule 13 (blighted land) is amended as follows.

(3) After paragraph 1A insert—

“**1B** Land in Wales which is identified for the purposes of relevant public functions by a local development plan for the area in which the land is situated.

*Notes*

(1) Relevant public functions are—

- (a) the functions of the National Assembly for Wales, a government department, local authority, National Park authority or statutory undertakers;
- (b) the establishment or running by a public telecommunications operator of a telecommunications system.

(2) For the purposes of this paragraph a local development plan is—

- (a) a local development plan which is adopted or approved for the purposes of Part 6 of the Planning and Compulsory Act 2004 (in this paragraph, the 2004 Act);
- (b) a revision of a local development plan in pursuance of section 70 of the 2004 Act which is adopted or approved for purposes of Part 6 of the 2004 Act;
- (c) a local development plan which has been submitted to the National Assembly for independent examination under section 64(1) of the 2004 Act;
- (d) a revision of a local development plan in pursuance of section 70 of the 2004 Act if the plan has been submitted to the National Assembly for independent examination under section 64(1) of that Act.

(3) But Note (2)(c) and (d) does not apply if the plan is withdrawn under section 66 of the 2004 Act at any time after it has been submitted for independent examination.

(4) In Note (2)(c) and (d) the submission of a local development plan to the National Assembly for independent examination is to be taken to include the holding of an independent examination by the National Assembly under section 65 or section 71 of the 2004 Act.”

(4) In paragraph 5, for “any such functions as are mentioned in paragraph 1(a)(i) or (ii)” there is substituted “relevant public functions (within the meaning of paragraph 1A or 1B)”.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(5) In paragraph 6, for “any such functions as are mentioned in paragraph 5” there is substituted “relevant public functions (within the meaning of paragraph 1A or 1B)”.

(6) In paragraph 13, for “paragraphs 1, 2, 3 and 4” there is substituted “paragraph 1A or 1B”.